

REMARKS

This responds to the Final Office Action mailed on May 13, 2008. Claims 1, 9, 14, 18, 22 and 27 are amended. Claims 1-30 are pending in this application.

§102 Rejection of the Claims

Claims 1-2, 4-8, 14, 16-17, 23-24, and 26 were rejected under 35 U.S.C. § 102(b) for anticipation by Sezan et al. (U.S. 6,236,395). Applicant has amended claims 1, 14 and 23. Applicant respectfully submits that Sezan does not teach of the limitations of claims 1, 14 and 23.

In particular, among the differences, claim 1 recites “wherein the at least one cue comprises a characteristic within at least one frame of the number of frames, wherein the characteristic comprises at least one of a shape in video of the frame, text in video of the frame and text in closed-captioning of the frame.” Claims 14 and 23 include similar limitations. Applicant respectfully submits that the recited sections of Sezan do not disclose this limitation.

Because Sezan does not disclose each element of claims 1, 14 and 23, Applicant respectfully submits that the rejection of claims 1, 14 and 23 under 35 U.S.C. §102 has been overcome. Because the claims that depend from claims 1, 14 and 23 depends from and further defines claims 1, 14 and 23, Applicant respectfully submits that the rejection of the dependent claims under 35 U.S.C. §102 has been overcome.

§103 Rejection of the Claims

Claims 3, 15, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sezan et al. (U.S. 6,236,395) in view of Begeja et al. (U.S. 2004/0025180). Because claims 3, 15 and 25 depend from and further define claims 1, 14 and 23, Applicant respectfully submits that the rejection of claims 3, 15 and 25 has been overcome.

Claims 9-13, 18-22, and 27-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sezan et al. (U.S. 6,236,395) in view of Gutta et al. (U.S. 2003/0163816). Applicant has amended claims 9, 18 and 27. Applicant respectfully submits that the cited references, either alone or in combination, do not teach of the limitations of claims 9, 18 and 27.

In particular, among the differences, claim 9 recites "wherein the at least one cue comprises a characteristic within at least one frame of the number of frames, wherein the characteristic comprises at least one of a shape in video of the frame, text in video of the frame and text in closed-captioning of the frame." Applicant respectfully submits that the recited sections of cited references do not disclose this limitation.

Because cited references, either alone or in combination, do not disclose each element of claims 9, 18 and 27, Applicant respectfully submits that the rejection of claims 9, 18 and 27 under 35 U.S.C. §103 has been overcome. Because the claims that depend from claims 9, 18 and 27 depend from and further define claims 9, 18 and 27, Applicant respectfully submits that the rejection of the dependent claims under 35 U.S.C. §103 has been overcome.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 371-2103 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.


Respectfully submitted,

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Date

11/13-08

By


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13th day of November, 2008.

Name

Amy Moriarty

Signature

